

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

CURTIS MALONE DIAMOND, II

PLAINTIFF

V.

NO. 2:08CV00015

**PAFORDFORD AMBULANCE SERVICE
MONTE MCINTOSH**

DEFENDANT

ORDER

Plaintiff has filed the following documents *pro se*: (1) Application to proceed *in forma pauperis* and (2) Complaint.

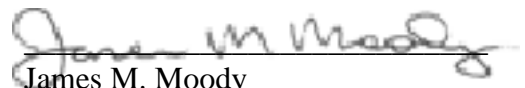
Plaintiff's complaint, as it now stands, is too vague and conclusory to enable the Court to determine if the complaint is frivolous, fails to state a claim for relief, or does in fact state a legitimate cause of action. Under 28 U.S.C. § 1915(e)(2), the Court must dismiss a case in which an application to proceed *in forma pauperis* is pending if the Court finds that "the action or appeal- (ii) fails to state a claim on which relief may be granted. . . ." 28 U.S.C. § 1915(e)(2)(B)(ii).

After reviewing Plaintiff's *pro se* Complaint, the Court is unable to determine if jurisdiction exists over Plaintiff's claims. Plaintiff does not state the residence and business address of the parties, therefore the Court cannot determine if diversity jurisdiction exists. Additionally, although Plaintiff claims that he is stating a cause of action under the Eighth Amendment, he fails to state facts sufficient to allow the Court to determine if federal question jurisdiction exists.

Plaintiff is directed to file an amended complaint within fifteen (15) days of the entry of this Order stating the following: (1) the name of each individual involved in the actions at issue

in the complaint, including their residence or business address; (2) how each individual was personally involved in those actions; and (3) the claim made against each individual. In addition, Plaintiff must set forth specific facts concerning his allegations including dates, times and places and the basis on which the Court has jurisdiction over Plaintiff's claims. Failure to file an amended complaint will result in the dismissal of this action without prejudice.

IT IS SO ORDERED this 20th day of February, 2008.


James M. Moody
United States District Judge